

Panaji, 22nd May, 2003 (Jyaistha 1, 1925)

SERIES I No. 8

OFFICIAL GAZETTE



GOVERNMENT OF GOA

Note: There is one Extraordinary issue to the Official Gazette Series I No. 7 dated 16-5-2003 namely Extraordinary dated 19-5-2003 from pages 187 to 192 regarding Notifications from Department of Law & Judiciary (Legal Affairs Division).

GOVERNMENT OF GOA

Department of Finance
Revenue and Control Division

Order

8/44/97-Fin(R&C)-FPC/Part IV

Read: Order No. 8/44/97-Fin(R&C)-FPC/Part IV dated 24-12-1997.

In supersession of the order cited above, Government is pleased to notify that the revised scales of pay as recommended by the First National Judicial Pay Commission (Shetty Commission) for the categories of posts in subordinate judiciary, as shown below, shall be effective from 1-1-1996 subject to the condition that monetary benefit shall accrue from 1-7-1996:—

Designation of the post with present pay scale	Revised pay scale
(i) Civil Judge (Jr. Div.) (Rs. 8000-13500)	Rs. 9000-250-10750-300-13150-350-14550
(ii) Civil Judge (Jr. Div.) (I stage ACP scale)	Rs. 10750-300-13150-350-14900
(iii) Civil Judge (Sr. Div.) (Rs. 10650-15850) (II stage ACP scale for Civil Judge (Jr. Div.)	Rs. 12850-300-13150-350-15950-400-17550
(iv) Civil Judge (Sr. Div.) (I stage ACP scale)	Rs. 14200-350-15950-400-18350

(v) District Judge/Addl. District Judge (Entry level) (Rs. 14300-18300) + (II stage ACP for Civil Judge (Sr. Div)	Rs. 16750-400-19150-450-20500
(vi) District Judge (Selection Grade)	Rs. 18750-400-19750-450-21850-500-22850
(vii) District Judge (Supertime Scale)	Rs. 22850-500-24850

The Judicial Officers who come under the purview of the above revised pay scales will not be eligible for any revision of pay scales made by the State Government from time to time. Allowance like DA, HRA and CCA, rate of pension, shall be the same as applicable to State Government employees. Accordingly, all the Judicial Officers shall draw their pay in the revised pay scale plus usual allowances as aforesaid with effect from 1-4-2003 for which purpose individual pay fixation order/slip shall be issued as per rules by the Director of Accounts/Joint Director of Accounts Panaji and Margao respectively in this month itself, after adjusting the pay already drawn as per recommendations of Vth Central Pay Commission.

Arrears payable due to revision of pay scales, for the period from 1-7-1996 to 31-3-2003, shall be credited to the General Provident Fund of the Judicial Officers concerned and the same shall not be drawn for a period of five years. However, arrears if any, in respect of Judicial Officers not in service at present, shall be paid in cash to them.

The decision regarding all perks to Judicial Officers as recommended by the Shetty Commission, will be taken separately after the reply from the Government of India to the request made by this Government to bear at least partly

the financial burden arising out of the Judgment dated 21-3-2002 of the Hon. Supreme Court is received.

By order and in the name of the Governor of Goa.

Rajib K. Sen, Special Secretary (Finance).

Panaji, 8th May, 2003.

Department of Fisheries

Notification

2-1-FSH-12

In exercise of the powers conferred by section 28 of the Goa, Daman and Diu Marine Fishing Regulation Act, 1980 (Act 3 of 1981) and all other powers enabling it in this behalf, the Government of Goa hereby makes the following rules, so as to further amend the Goa, Daman and Diu Marine Fishing Regulation Rules, 1982, as follows, namely:—

1. *Short title and commencement.*— (1) These rules may be called the Goa Marine Fishing Regulation (Amendment) Rules, 2003.

(2) They shall come into force at once.

2. *Amendment of rule 3.*— In rule 3 of the Goa, Daman and Diu Marine Fishing Regulation rules, 1982 (hereinafter referred to as the "principal Rules"), for sub-rule (3) the following shall be substituted, namely:—

"(3) If the authorized officer, after making such enquiries as deemed fit, decides to grant the licence applied for he shall issue a licence in Form B, with conditions including those specified hereof, which shall be valid for a period of one year from the date of issue.

CONDITIONS OF THE LICENCE

(i) The fishing vessel should possess life saving equipments, transister, navigational lights, as per the Merchants Shipping Act, 1958 (Act 44 of 1958).

(ii) The fishing vessel shall not carry out any fishing activity within an area of five kms from the coast of State of Goa.

(iii) The vessel shall not use any fishing gear (net) that is not of permissible mesh size.

(iv) Any change in the layout, design, and capacity of the vessel should be effected only with the prior approval of the Authorized Officer.

(v) Any change in the type of gear licence shall be effected only with the prior approval of the Authorized Officer.

(vi) This licence is only a permission for use of a registered fishing vessel for fishing in territorial water of the State and is not any document regarding fitness of the fishing vessel".

3. *Amendment of form B.*— For Form 'B' appended to the principal Rules the following shall be substituted, namely:—

"Form B

[See sub-rule (3) of rule 3]

GOVERNMENT OF GOA

Directorate of Fisheries
Panaji

Fishing Vessel Licence

Licence No.
Date of Issue
Valid up to.

Director of Fisheries

(Facsimile Signature)

Signature and Designation of issuing Officer.

I. Particulars of Licencee.

- (1) Name of the Licencee.
- (2) Address:—

II. Particular of Vessel:—

- (1) Type of Vessel:—
- (2) Specification of Vessel:—
Length
Breadth
Registration No.
Other particulars, if any

III. Place of operation of vessel.....

1. Name of the specified area.....
for operation of fishing vessel.....

1. The Licence of Fishing Vessel is hereby granted.....
From:— to

Signature and Designation
of Licencing Authority"

By order and in the name of the Governor of Goa.

Director of Fisheries, Cum ex officio/Joint Secretary (Fisheries).

Panaji, 5th May, 2003.

Department of Industries

Order

3/18/2001-IND/1202

Government is pleased to delink the Production-cum-training Centres from Directorate of Industries, Trade & Commerce and to attach the same to the State Directorate of Craftsman Training. It is further decided to transfer all the assets and liabilities alongwith the Budget provision and the staff attached to all these Centres in the Directorate of Industries, Trade & Commerce to the State Directorate of Craftsman Training.

The State Director of Craftsman Training shall exercise the administrative control of all these Centres at field level and the Secretary (Industries) and Minister (Industries) at the Government level.

Director of Industries, Trade & Commerce shall accordingly submit a proposal to the finance (Budget) Department to declare the State Director of Craftsman Training as the Budget Controlling Authority for Budget Heads which are related to these Centres.

By order and in the name of the Governor of Goa.

V. R. Ghaisas, Under Secretary (Industries).

Panaji, 2nd May, 2003.

Department of Personnel

Notification

1/25/87-PER (Pt. II)

In exercise of the powers conferred by the proviso to Article 309 of the Constitution, and in supersession of the existing Recruitment Rules for the relevant posts, the Governor of Goa hereby makes the following rules to regulate the recruitment to the Goa General Service, Group 'B' Gazetted posts of Block Development Officer, under the Government of Goa, namely:—

1. Short title, application and commencement.—

(1) These rules may be called the Government of Goa, Block Development Officer, Group 'B', Gazetted post, Recruitment Rules, 2003.

(2) They shall apply to the posts specified in column (1) of the Schedule to these rules (hereinafter called as the "said Schedule").

(3) They shall come into force from the date of their publication in the Official Gazette.

2. *Number, classification and scales of pay.*— The number of posts, classification of the said posts and the scales of pay attached thereto shall be as specified in columns (2) to (4) of the said Schedule:

Provided that the Government may vary the number of posts specified in column (2) of the said Schedule from time to time subject to exigencies of work.

3. *Method of recruitment, age limit and other qualifications.*— The method of recruitment to the said posts, age limit, qualifications and other matters connected therewith shall be as specified in columns (5) to (13) of the said Schedule.

4. *Disqualification.*— No person who has entered into or contracted a marriage with a person having a spouse living or who, having a spouse living, has entered into or contracted a marriage with any person, shall be eligible for appointment to the service:

Provided that the Government may, if satisfied that such marriage is permissible under the personal law applicable to such person and the other party to the marriage and that there are other grounds for so doing, exempt any person from the operation of this rule.

5. *Power to relax.*— Where the Government is of the opinion that it is necessary or expedient so to do, it may, by order, for reasons to be recorded in writing and in consultation with the Goa Public Service Commission, relax any of the provisions of these rules with respect to any class or category of persons.

6. *Saving.*— Nothing in these rules shall affect reservation, relaxation of age limit and other concessions required to be provided for Scheduled Castes, and other special categories of persons in accordance with the orders issued by the Government from time to time in that regard.

7 These rules are issued in consultation with the Goa Public Service Commission vide their letter No. COM/II/13/42(1)/95 dated 26-3-2003.

By order and in the name of the Governor of Goa.

D. M. Borkar, Joint Secretary (Personnel).

Panaji, 30th April, 2003.

SCHEDULE

Name / Designation of posts	Number of posts	Classifica- tion	Scale of pay	Whether selection post or non- selec- tion post	Age limit for direct recruits	Whether the benefit of added year of service is admissible un- der Rule 30 of CCS (Pension) Rules, 1972	Educational and other qualifica- tions required for direct recruits	Whether age & educational qualifications prescribed for the direct recruits will apply in the case of promotees	Period of probation, if any	Method of recruit- ment, whether by direct recruitment or by promotion or by deputation/ transfer/contract and percentage of the vacancies to be filled by various methods	In case of recruitment by promotion/ deputation/ transfer, grades from which promotion/ deputation/ transfer is to be made	If a D. P. C. exists, what is its composi- tion	Circumstances in which Goa Public Service Commis- sion is to be consulted in making recruit- ment
1	2	3	4	5	6	6(a)	7	8	9	10	11	12	13
Block Develop- ment Officer.	13 (2003) (Sub- ject to varia- tion depen- dent on work- load).	Goa General Service, Group 'B' Gazetted.	Rs. 6500- 200- 10500.	Selec- tion.	Not exceed- ing 40 years (Relaxable for Govern- ment servants upto 5 years in accor- dance with the instruc- tions or orders issued by the Govern- ment).	N. A.	<i>Essential:</i> (1) Degree in any branch from a recognised Uni- versity or equi- valent. (2) Knowledge of Konkani. <i>Desirable:</i> (1) Degree in Socio- logy/Social work from a recognised University or equivalent. (2) Knowledge of Marathi.	Age: No. Qualifica- tions: Yes.	2 years (Subject to the passing of Depart- mental Examina- tion conducted by the Goa Public Service Commis- sion).	50% by promotion failing which by direct recruitment and 50% by direct recruitment.	<i>Promotion:</i> Extension Officer (Panchayats) with 5 years regular service in the grade.	Group 'B' D.P.C. consisting of:— (1) Chairman/ Member, GPSC — Chairman. (2) Chief Secre- tary or his nominee — Member. (3) Administra- tive Secretary/ Head of Depart- ment — Member.	As required under the Goa Public Service Commission (Exemption from Consultation) Regulations, 1988. Consul- tation with the Goa Public Service Commission is necessary for making direct recruitment, promotion confirmation and for selection of an officer for appointment on deputation and for amending/ relaxing any of the provisions of these Rules.

Notification

15/22/96-PER/Part I

In accordance with the recruitment Rules for the post of Block Development Officer notified vide Notification No. 1/25/87-PER-Part II dated 6-5-1997 published in the Official Gazette Series I, No. 20 dated 14-8-1997 and in accordance with sub-rule (2) of rule 2 of the Goa (Departmental Examination for the Block Development Officers) Rules, 1999 notified under Notification No. 15/22/96-PER/Part I dated 4-10-1999 and published in the Official Gazette Series I No. 30 dated 21-10-1999, the schedule of the Departmental examination shall be as under:—

Date of Examination	Morning Session 10 a. m. to 1.00 p.m.	Evening Session 2.30 p.m. to 5.30 p. m.
23-6-2003	Paper II	Paper VII

The examination shall be held in the Office of the Goa Public Service Commission, E.D.C. House, Panaji.

The following Officers in the above cadre shall appear for the examination and answer the papers shown against their names, on the above mentioned date and time:

1. Smt. Irene Vitoria Sequeira, B. D. O., Tiswadi — Paper II and VII.
2. Shri Vasudev N. Shetye, B. D. O., (Awaiting posting) — Paper VII.
3. Shri Devidas S. Gaonkar, B. D. O., Sanquem. — Paper VII.

By order and in the name of the Governor of Goa.

Vikas Mardolkar, Under Secretary (Personnel).
Panaji, 21st May, 2003.

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Department of Revenue

Notification

28/1/97-RD (4231)

The following draft rules which are proposed to be made under the Indian Stamp Act, 1899 (Central Act 2 of 1899), are hereby pre-published

for information of persons likely to be affected hereby and notice is hereby given that the said draft rules will be taken into consideration by the Government on the expiry of 15 days from the date of publication of this Notification in the Official Gazette.

All objections and suggestions to the said draft rules may be forwarded to the Under Secretary to the Government of Goa, Revenue Department, Secretariat, Panaji before the expiry of 15 days from the date of publication of this Notification in the Official Gazette.

DRAFT RULES

In exercise of the powers conferred by section 75 of the Indian Stamp Act, 1899 (Central Act 2 of 1899), as in force in the State of Goa, and all other powers enabling it in that behalf, the Government of Goa hereby makes the following rules, namely:—

(a) *Short title and commencement.*— (1) These rules may be called the Goa Stamp (Determination of True Market Value of Property) Rules 2003.

(2) They shall come into force at once.

(2) *Definitions.*— (1) In these rules unless the context otherwise requires—

(a) "Act" means the Indian Stamp Act, 1899 (Central Act 2 of 1908),

(b) "Registering Officer" means the officers authorised to register documents under the Registration Act, 1908 (Central Act 16 of 1908);

(c) "Section" means a section of the Act.

(2) Words and expressions used in these rules, but not defined therein, shall have the meanings respectively assigned to them under the Act.

3. *Other particulars to be fully and truly set forth in the instrument as required by section 27 of the Act.*— The following particulars shall also be fully and truly set forth in the instrument relating to immovable property chargeable with ad valorem duty, namely:—

(a) Land use zone as laid down under the Goa Town and Country Planning Act, 1974 (Act 21 of 1975);

(b) Whether the land in question is covered under any special statute in force in the State, which fixes a specific land value.

4. *Annual statement of rates of immovable property.*— (1) The Collectors shall prepare an annual statement of rates showing average rates of lands situated in every Taluka, Municipality or local body area in their respective district with the help of such other officers as may be appointed by the Government from time to time and submit the same for approval to the Government, latest by 31st October of each year.

(2) The data in respect of average rates of lands in every Taluka, Municipality or local body area shall be arranged in the annual statement of rates as far as possible in ward-wise/zone-wise manner in respect of urban properties and in respect of rural, developing and coastal properties, taluka-wise and village-wise, as the case may be. For the purpose of average annual rates, properties may be divided into groups, sub-groups or classes after taking into account the type of the land, types of construction, location and situational advantages or disadvantages of property. While working out the average rates of land, the Collector shall take into account the established principles of valuation and any other details that are deemed necessary.

(3) The Government shall, by an order, notify annual statement of rates showing average rates of land situated in every Taluka, under the heads "urban, developing, coastal, rural and similar areas" (hereinafter called the "annual statement of rates") as soon as they are made for the first time, and thereafter, every year on the 1st day of January, taking into account the average rates of lands prepared and submitted by the Collectors.

(4) (a) If the Government is not in a position to notify the annual statement of rates as mentioned in sub-rule (3) above, on the 1st day of January in any year due to any unforeseen administrative difficulties or otherwise, the rates mentioned in the annual statement of rates for the year immediately preceeding thereto shall continue to be in force as modified by interim orders to be similarly notified as and when deemed necessary, keeping in view the change in market rates of immovable properties.

(b) Pending the completion of preparation of the annual statement of rates as laid out in sub-rule (3) above, the Government may, by order, issue interim statement of rates by classifying the land under different categories like municipal areas, developing areas, rural areas, coastal areas and other categories which shall remain in force

till the coming into force of the annual statement of rates in terms of sub-rule (3) of rule 4.

(5) The Collector shall annually supply to the Registering Officers in the district, a copy of the above annual statement showing the average rates of lands situated within his jurisdiction. Every registering officer shall cause a copy of such statement to be affixed at the notice board of the Registration Office.

(6) Every Registering Officer, shall, while registering any instrument produced before him for registration, verify the market-value of land from the above statement and if the market-value as stated in the instrument is less than the minimum value prescribed in the statement, he shall refer the same to the Collector of the District for determination of the true market-value of the property which is the subject-matter of the instrument and for determination of the proper duty payable thereon:

Provided that if the parties agree to pay the differential amount on the spot, the Registering Officer may allow fixation of adhesive stamps thereon to cover the difference endorsing his signature and date of fixation near the stamps so affixed:

Provided further that whenever a certificate about market-value of a particular property is issued by the Government, semi-Government body, a Government Undertaking or a Local Authority on the basis of pre-approved values, then the value stated in such certificate issued by an appropriate authority or determined by the bodies referred to above, shall be deemed to be the true market-value of that property.

(7) All the Registering Officers shall, by the 30th of the following month, send to the Collector for revision of the annual statement of rates, in which consideration for the subject property is stated to be more than the notified annual statement of rates.

(8) All the Land Acquisition Officers (other than Collector) appointed under the Land Acquisition Act, 1894 (1 of 1894) or any other Act for the time being in force in respect of acquisition of lands and properties for public purpose shall, whenever the amount of compensation awarded by them is higher than the rates in the annual statement of rates issued by the Government under this rule, send a copy of such award to the Collector for taking it into consideration while making

revision of annual statement of rates, referred to in sub-rule (3), within 30 days from the date of payment of compensation.

5. *Procedure to be followed by the Collector of the District for determining true market-value of property under sections 31 and 47-A.*— Where any instrument of the nature described in section 31, or as the case may be, in section 47-A,—

(a) is referred to the Collector of the District for determination of the true market-value of the property which is the subject-matter of such instrument and for the proper duty payable thereon, or

(b) where the Collector of the District on his own, proposes to examine the instrument under sub-section (3) of section 47-A for the purpose of satisfying himself as to the correctness of the market-value of the property which is the subject-matter of the instrument and for the proper duty payable thereon, the Collector of the District shall hold an inquiry and for that purpose follow the following procedure, namely:—

(i) Upon receipt of the reference or upon his deciding to proceed in the matter on his own, the Collector of the District shall issue a notice to every person by whom, and in whose favour, the instrument is executed, requiring every such person to submit, within thirty days from the date of service of notice upon him, his representation in writing, justifying the market-value of the property set forth in the instrument.

(ii) The Collector of the District may,—

(a) record the statement of the person on whom the notice has been served; or

(b) call for any information or record from any public office, officer or authority under the State Government or any local authority; or

(c) record statement from any member of the public, officer or authority under the State Government or any local authority; or

(d) call upon the parties to be present on the date specified in the notice and on such other dates as may be fixed by him from time to time and at the same time intimating that the matter would be heard *ex parte* if the party fails to appear on the due date.

(iii) On hearing the parties and after considering the objections, if any, and all

the relevant factors and evidence placed before him, the Collector of the District shall pass a final order determining the true market-value of the property, the duty payable on the instrument and penalties, if any, imposed and communicate the order to the parties. Thereafter, he shall take steps to collect the difference in the amount of stamp duty and the penalty, if any, as recovery of arrears of land revenue, if necessary.

(iv) A copy of the order together with the records received shall thereafter be returned by the Collector to the authorities or persons concerned for record.

6. *Appearance through advocates or authorised agents in inquiries.*— In any inquiry under these rules, any party to an instrument may appear, either in person or through an Advocate or any authorised agent.

7. *Manner of service of notice and order to the parties.*— Any notice or order under these rules shall be served in the following manner, namely:—

(i) In the case of any company, society or association of individuals, whether incorporated or not, the notice or order shall be served,—

(a) on the the Secretary or any Director or other principal officer of the company, society or association of individuals, as the case may be; or

(b) by sending it by registered post with acknowledgment due, addressed to the company, society or association of individuals, as the case may be, at its registered office, or if there is no registered office, then, at any place where the company, society or association of individuals, as the case may be, carries on business.

(ii) In the case of any firm, the notice or order shall be served,—

(a) upon any one or more of the partners; or

(b) at the principal place at which the partnership business is carried on, upon any person having control or management of the partnership business at the time of service.

(iii) In the case of a family, the notice or order shall be served upon the person in management of such family or of the property of such family.

(iv) In the case of any individual person, the notice or order shall be served,—

(a) by delivering or tendering the notice or order to the person concerned or to his Advocate or authorised agent; or

(b) by delivering or tendering the notice or order to some adult member of the family; or

(c) by sending the notice or order to the person concerned as above by registered post with acknowledgment due; or

(d) if none of the aforesaid modes of service is practicable, by affixing the notice or order in some conspicuous part of the last known place of residence or business of the person concerned.

By order and in the name of the Governor of Goa.

C. D. Gawade, Under Secretary (Revenue).

Panaji, 2nd May, 2003.